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ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
DIVISION

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**DECLARATION OF JANE ROE IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

**ASSIGNED FOR ALL PURPOSES
TO THE HONORABLE DISTRICT
JUDGE JON S. TIGAR,
COURTROOM 6**

Action Filed: 03/14/2024
Trial Date: Unassigned

1 I, Jane Roe, declare as follows:

2 1. I am over the age of 18 and am one of the plaintiffs in the above-
3 captioned action. In order to preserve my anonymity, my appearance in this action is
4 made using the fictitious name of "JANE ROE." I have personal knowledge of the
5 facts stated herein, except for facts that are stated on information, belief, or
6 understanding. As to the latter, I have a good faith basis for believing them to be
7 true. I make this declaration in support of Plaintiffs' Motion for Preliminary
8 Injunction.

9 2. I have lived in the Tenderloin neighborhood of San Francisco for
10 approximately 18 years at the same apartment building on the 600 block of Ellis
11 Street. I live with my husband and my two school-age daughters, ages 7 and 11. My
12 husband and I are both employed. I will often work twelve to thirteen hours a day
13 and return home at night.

14 3. My apartment building is on the same block of Ellis Street as the COVA
15 Hotel, which I understand was a homeless shelter run by the City of San Francisco
16 that was recently closed. It is my understanding that the City of San Francisco
17 operates a new shelter located at 685 Ellis Street, which is on the same block where I
18 live. My apartment is also within three blocks of the GLIDE Memorial Church.

19 4. People who appear to be drug dealers, drug users, and homeless people
20 gather in front of my apartment building and on the nearby sidewalks. I see people
21 who appear to be under the influence of drugs standing, sitting, or lying down on the
22 sidewalks. I frequently see what appears to be people selling drugs to others. I also
23 see lots of discarded items, such as garbage, syringes, needles, pipes for smoking
24 drugs, and aluminum foil. On many occasions, I have found people lying in the
25 entrance to my building and blocking it. I have had to ask them permission to enter
26 my home. There have been many occasions on which I could smell burning cigarettes,
27 marijuana, and what I believe to be other drugs being smoked near my home. I have
28 tried approaching the people who are smoking these drugs to request that they move

1 and/or not smoke near my apartment building or my family, and I told them I have a
2 daughter who has bad asthma. During these interactions, there have been many
3 occasions when I have been personally threatened with bodily harm and even death
4 by the homeless and/or drug addicted people loitering on the sidewalk in front of my
5 apartment building. I have been threatened with knives, screwdrivers, and hammers.
6 I find that these activities are often concentrated around the shelter near my home.

7 5. A few months ago, the City sent workers to clean up after the homeless
8 people hanging outside the shelters near my home. The workers would tell them to
9 hang out elsewhere and to not smoke drugs on the street. But those workers left and
10 as soon as they did, the crowds, drug use and debris resumed. I feel that the
11 homeless people on my block took offense whenever I would try to clean up after
12 them, so they would threaten or yell at me.

13 6. For example, within the last month, I was cleaning human excrement
14 from the doorstep to my building. A man and a woman approached me and yelled
15 racist comments to me, telling me I did not belong here and I should leave. They told
16 me they would call ICE to deport me. I believe that they were homeless and came
17 from the shelter near my home.

18 7. While the COVA Hotel was being operated as a homeless shelter, there
19 were always groups of homeless people outside, which is right next to my apartment
20 building. Several of these groups would loiter in front of the shelter most of the day.
21 They were in various states of intoxication, making them both scary and
22 unpredictable. Very often there was drug dealing and drug use. I often saw drug
23 paraphernalia, human excrement and other debris littering the area outside the
24 COVA and along the sidewalk in front of my home.

25 8. Currently, I have seen the same conditions persist outside of the shelter
26 at 685 Ellis Street. It feels like the same situation as the COVA. I have seen people
27 who look like drug dealers meet with people out front of 685 Ellis, then go away from
28 the shelter, sell the drugs and then the buyer goes back to the shelter. I often see

1 these kinds of drug dealer tactics occur in front of my home as well. I often see pipes,
2 aluminum and straws out front of the shelter. I see groups of people hanging out in
3 front or just off to the side of the shelter smoking or taking what appears to be drugs
4 and acting intoxicated. I will ask them leave, and then they yell at me. My husband
5 asked me to stop trying to have them leave or else I will end up hurt. I often feel
6 compelled to try anyway because I work hard to be a good example to my children. I
7 want them to have a clean home and safe environment. I want to be a model of a good
8 woman for them, so they can do the same.

9 9. Because of the conditions on the sidewalks in my neighborhood, I am
10 afraid of going outside of my apartment building. When I must leave, I go out of my
11 way to avoid the people in the crowds on the sidewalks. They often act unpredictably
12 and even aggressively. I sometimes am forced to walk in the street in order to pass
13 around blocked portions of sidewalks. Even when I am able to walk on the sidewalk, I
14 must be careful to avoid stepping in/on human feces or debris like needles, syringes,
15 and drug pipes.

16 10. My children attend school in San Francisco, and when school is in
17 session they take the public bus. I never let my children walk to the bus alone
18 because I feel that the crowded and unsanitary conditions on the sidewalks are
19 dangerous. I don't let my children play on the sidewalks in our neighborhood because
20 of the dangerous conditions.

21 11. I would move out of the Tenderloin neighborhood if I could afford to do
22 so, because I feel the conditions here are unhealthy and dangerous for raising
23 children. It is stressful for me having to always be on high alert for my safety and for
24 that of my children. Living here is wearing me thin, I have sought mental health care
25 because of it, but I have been forced to accept these conditions outside my apartment.
26 I often feel very vulnerable. I feel that I am an easy target, someone that the
27 homeless people on my block can yell at, abuse and treat however they wish. I am
28 very often afraid when I leave or come home. I must take extra care for my and my

1 daughter's safety whenever I am coming to or leaving the house.

2 12. While these conditions and hazards outside my home will improve at
3 times, they have been largely consistent and have had a substantial impact on my
4 ability to enjoy the use of my home. I continue to take extra care for my safety when I
5 leave my building and walk on the sidewalks in the Tenderloin. I continue to see
6 human feces, garbage, syringes, needles, aluminum foil, and pipes outside my home.
7 I continue to always be on high alert for my safety when I leave my building and
8 walk on the sidewalks in my neighborhood.

9 13. I state that this Declaration, written in English, was translated for me
10 into Spanish by a competent translator before I signed it. I understood the contents
11 and substance as translated to me, I adopt it as my own statement, and I signed it
12 knowingly and voluntarily.

13 I declare under penalty of perjury under the laws of the United States of
14 America that the foregoing is true and correct to the best of my knowledge.

15 Executed on this __th day of August, 2025, at San Francisco, California.

16 
17 _____
18 Jane Roe